

STATE CAPITOL B ROOM 1145 B SACRAMENTO CA B 95814-4998 B WWW.DOF.CA.GOV

January 12, 2007

Ms. Paula Higashi Executive Director Commission on State Mandates 980 Ninth Street, Suite 300 Sacramento, CA 95814 RECEIVED

JAN 1 2 2007

COMMISSION ON STATE MANDATES

Dear Ms. Higashi:

The Department of Finance (Finance) proposes a reasonable reimbursement methodology for the Peace Officers Procedural Bill of Rights (POBOR) mandate. This proposal is being submitted to the Commission prior to January 15, 2007, in order to establish eligibility for the 2006-07 fiscal year.

Finance proposes to reimburse each eligible local agency at the rate of \$56.74 per officer employed by the agency. This rate was determined by an analysis of 2004-05 POBOR claims data. First, the per-officer rate for each claimant was calculated (total amount claimed divided by the number of officers employed by each agency). Pursuant to reviews conducted by the State Controller's Office (Controller) revealing that at least 75 percent of POBOR claims were unsubstantiated, we then reduced each agency's per-officer rate by 75 percent. The median of the reduced per-officer rates was calculated to be \$56.74.

The proposed reimbursement rate would then be adjusted after the Controller has completed one year of audits of all POBOR claims. The adjusted rate would be the median of all claimants' per-officer rates, which would be calculated by dividing the costs deemed to be reimbursable by the Controller by the number of officers employed by each agency. The rate would be adjusted again each year until three years of audits have been completed by the Controller. The reimbursement rate also would be adjusted by the implicit price deflator each year.

As required by the Commission's regulations, we are submitting an Adobe Acrobat PDF file reflecting these comments.

If you have any questions regarding this letter, please contact Carla Castañeda, Principal Program Budget Analyst at (916) 445-3274.

Sincerely,

Thomas E. Dithridge Program Budget Manager

Attachments

Attachment A

DECLARATION OF CARLA CASTAÑEDA DEPARTMENT OF FINANCE CLAIM NO. CSM--CSM-4499

- 1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.
- 2. Attached is the data used to calculate the median per-officer reimbursement rate.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

Calculation of Median Reimbursement Rate Per Officer

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		,	2004-05	Number of		'	21	i% of Per
			ual Claims ¹	Officers ²	F	Per Officer	23	Officer
18	CITY OF KERMAN	\$	167,753	15.	\$	11,183.53	\$	2,795.88
	CATHEDRAL CITY	\$	339,824	52	\$	6,535.08		1,633.77
	CITY OF COVINA	\$	257,535	51	\$	5,049.71		1,262.43
	CITY OF SOUTH SAN FRANCISCO	\$	284,763	70	\$	4,068.04	\$	1,017.01
	CITY OF ROCKLIN	\$	130,474	49	\$	2,662.73	\$	665.68
	CITY OF TULELAKE	\$	7,356	3	\$	2,452.00	\$	613.00
	CITY OF BEVERLY HILLS	\$	316,298	131	\$	2,414.49	\$	603.62
	CITY OF INGLEWOOD CITY OF MONTEREY	\$	338,790 67,531	198 47	\$	1,711.06 1,436.83	\$	427.77 359.21
	CITY OF MONTERET	\$	25,892	20		1,294.60	\$	323.65
	CITY OF JACKSON	\$	10,655	9	\$	1,183.89	\$	295.97
	CITY OF RED BLUFF	\$	26,806	24	\$	1,116.92	\$	279.23
	CITY OF FIREBAUGH	\$	11,715	11	\$	1,065.00	\$	266.25
127	CITY OF WEED	\$	10,447	10	\$	1,044.70	\$	261.18
20	CITY OF BURBANK	\$	148,430	153	\$	970.13	\$	242.53
	CITY & COUNTY OF SAN FRANCISCO	\$	2,952,086	3052	\$	967.26	\$	241.82
	CITY OF LOS ANGELES	\$	8,749,350	9577		913,58	\$	228.39
	COUNTY OF SISKIYOU	\$	81,403	93	\$	875.30	\$	218.83
	CITY OF GLENDALE	\$	232,607	269		864.71	\$	216.18
	CITY OF WALNUT CREEK CITY OF LIVINGSTON	\$ \$	61,930 15,061	77	\$	804.29	\$	201.07 198.17
	CITY OF LIVINGS TON	5	57,458	19 77	\$	792.68 746.21	\$	186.55
	CITY OF MONROVIA	\$	36,977	50	\$	739.54	\$	184.89
	CITY OF EAST PALO ALTO	\$	25,549	35		729.97	\$	182.49
	CITY OF SIMI VALLEY	\$	84,710	118		717.88	\$	179.47
	CITY OF TIBURON	\$	9,258	13	\$	712,15	\$	178.04
87	COUNTY OF MONO	\$	18,923	28	\$	675.82	\$	168,96
	CITY OF EL MONTE	\$	107,699	162	\$	664.81	\$	166.20
	CITY OF ANTIOCH	\$	67,184	102	\$	658.67	\$	164.67
	CITY OF MENLO PARK	\$	26,236	42		624.67	\$	156.17
	CITY OF REEDLEY	\$	18,097	29		624.03	\$	156.01
	CITY OF BALDWIN PARK CITY OF FOSTER CITY	\$ \$	45,532	73 36	\$	623.73	\$	155.93
	CITY OF POSTER CITY	\$	21,446 31,129	55	\$	595.72 565.98	\$	148.93 141.50
	CITY OF CARLSBAD	\$	59,093	107	\$	552.27	\$	138.07
	CITY OF RIVERSIDE	\$	200,265	366		547.17	\$	136.79
	CITY OF MOUNTAIN VIEW	\$	51,879	96		540.41	\$	135.10
58	CITY OF SAN RAFAEL	\$	33,920	66	\$	513.94	\$	128.48
	CITY OF DAVIS	\$	27,071	53		510.77	\$	127.69
	COUNTY OF SANTA CLARA	\$	270,774	544				
	CITY OF SAN LUIS OBISPO	\$	27,144	55		493.53	\$	123.38
	CITY OF GARDEN GROVE	\$	74,268	156		476.08	\$	119.02
	CITY OF SEASIDE CITY OF BRENTWOOD	\$ \$	18,430	39		472.56	\$	118.14
	CITY OF BRENTWOOD CITY OF TUSTIN	\$	25,033 43,508	53 95		472.32 457.98	\$	118.08 114.49
	CITY OF TUSTIN	\$	96,948	223		434.74	\$	108.69
	CITY OF ALHAMBRA	\$	32,698	81	\$	403.68	\$	100.09
	CITY OF MONTCLAIR	\$	21,049	53		397.15	\$	99.29
76	CITY OF MANHATTAN BEACH	\$	23,825	60	\$	397.08	\$	99.27
81	CITY OF GLENDORA	\$	21,539	55	\$	391.62	\$	97.90
	CITY OF EL CERRITO	\$	15,254	39		391.13	\$	97.78
	CITY OF FRESNO	\$	306,626	802		382.33	\$	95.58
	CITY OF FAIRFIELD	\$	44,232	117		378.05	\$	94.51
	CITY OF PISMO BEACH	\$ \$	8,673	23		377.09	\$	94.27
	CITY OF SAN FERNANDO COUNTY OF SAN BERNARDINO	-\$ -	13,142 653,148	35 1781		375.49 366.73	\$	93.87 91.68
	CITY OF SANTA MONICA	<u>φ</u> \$	74,732	206		362.78	\$	90.69
	CITY OF ATASCADERO	- Ψ -	10,689	30		356.30	\$	89.08
	CITY OF REDLANDS	\$	32,335	94		343.99	\$	86.00
	CITY OF HERMOSA BEACH	\$	11,925	35,		340.71	\$	85.18
	CITY OF PALO ALTO	\$	27,823	82	\$	339.30	\$	84.83
	CITY OF VERNON	\$	17,356	52		333.77	\$	83.44
4	COUNTY OF RIVERSIDE	\$	598,214	1824	\$	327.97	\$	81,99

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44 CITY OF FONTANA									
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135 CITY OF EMERYVILLE	126	CITY OF BURLINGAME			40		265.90	\$	66.48
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T4 CITY OF WESTMINSTER			*			4			
64 CITY OF WHITTIER									
114 CITY OF PLACENTIA									
S2 CITY OF ESCONDIDO									
35 CITY OF SAN BERNARDINO									
100 COUNTY OF LAKE	52	CITY OF ESCONDIDO	\$	38,532	160	\$	240.83	\$	60.21
100 COUNTY OF LAKE	35	CITY OF SAN BERNARDINO	\$	69,399	303	\$	229.04	\$	57.26
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77 COUNTY OF SOLANO \$ 23,537 115 \$ 204.67 \$ 51.17 98 CITY OF MERCED \$ 15,900 78 \$ 203.85 \$ 50.96 134 CITY OF LAGUNA BEACH \$ 9,310 48 \$ 193.96 \$ 48.49 57 CITY OF BERKELEY \$ 34,608 180 \$ 192.27 \$ 48.07 99 CITY OF SOUTH GATE \$ 15,829 84 \$ 188.44 \$ 47.11 94 CITY OF LIVERMORE \$ 17,091 91 \$ 187.81 \$ 46.95 107 CITY OF UNION CITY \$ 14,513 78 \$ 186.06 \$ 46.52 36 CITY OF SOLOTH GATE \$ 9,768 54 \$ 180.89 \$ 45.29 11 CITY OF SAN GABRIEL \$ 9,768 54 \$ 180.89 \$ 45.22 111 CITY OF MONTEREY PARK \$ 13,829 77 \$ 179.60 \$ 44.90 63 CITY OF ROSEVILLE \$ 3,921 23 \$ 170.48 \$ 42.62 78 CITY OF ROSEVILLE \$ 3,921 23 \$ 170.48 \$ 42.62 78 CITY OF ROSEVILLE \$ 22,316 131 \$ 170.35 \$ 42.59 96 CITY OF VACAVILLE \$ 16,703 101 \$ 165.38 \$ 41.34 108 COUNTY OF SAN MATEO \$ 56,566 349 \$ 162.08 \$ 40.52 144 CITY OF DALY CITY \$ 14,468 88 \$ 164.41 \$ 41.10 43 COUNTY OF SAN MATEO \$ 56,566 349 \$ 162.08 \$ 40.52 144 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF LA HABRA \$ 10,043 65 \$ 154.51 \$ 38.63 19 COUNTY OF SACRAMENTO \$ 227.643 1512 \$ 150.56 \$ 37.64 164 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF LA HABRA \$ 10,043 65 \$ 154.51 \$ 38.63 19 COUNTY OF SACRAMENTO \$ 227.643 1512 \$ 150.56 \$ 37.64 164 CITY OF SIGNAL HILL \$ 4,790 32 \$ 149.69 \$ 37.42 103 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF LA HABRA \$ 10,043 65 \$ 154.51 \$ 36.63 19 COUNTY OF SACRAMENTO \$ 227.643 1512 \$ 150.56 \$ 37.64 164 CITY OF SIGNAL HILL \$ 4,790 32 \$ 149.69 \$ 37.42 103 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.82 143.69 \$ 35.92 144 COUNTY OF SACRAMENTO \$ 227.643 1512 \$ 150.56 \$ 37.64 164 CITY OF SIGNAL HILL \$ 4,790 32 \$ 149.69 \$ 37.42 140.00 TO SIGNAL HILL \$ 4,790 32 \$ 149.69 \$ 37.42 140.00 TO SIGNAL HILL \$ 4,790 32 \$ 149.69 \$ 37.42 140.00 \$ 30.50 \$ 10.00 TO SIGNAL HILL \$ 4,790 32 \$ 149.69 \$ 37.4	116	CITY OF TURLOCK	\$	12,350	60	\$	205.83	\$	51.46
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111 CITY OF MONTEREY PARK \$ 13,829 77 \$ 179.60 \$ 44.90 63 CITY OF CORONA \$ 29,811 168 \$ 177.45 \$ 44.36 172 CITY OF OROSUILE \$ 3,921 23 \$ 170.48 \$ 42.62 78 CITY OF ROSEVILLE \$ 22,316 131 \$ 170.35 \$ 42.59 96 CITY OF VACAVILLE \$ 16,703 101 \$ 165.38 \$ 41.34 108 COUNTY OF SUTTER \$ 14,468 88 \$ 164.41 \$ 41.10 43 COUNTY OF SAN MATEO \$ 56,566 349 \$ 162.08 \$ 40.52 144 CITY OF LOMPOC \$ 7,982 50 \$ 159.64 \$ 39.91 75 CITY OF DANGE \$ 24,049 151 \$ 159.26 \$ 39.82 92 CITY OF DALY CITY \$ 17,197 108 \$ 159.23 \$ 39.81 130 CITY OF LA HABRA \$ 10,043 65 \$ 154.51 \$ 38.63 19 COUNTY OF SACRAMENTO \$ 227,643 1512 \$ 150.56 \$ 37.64	131	CITY OF SAN GABRIEL	\$	9,768	54	\$	180.89	\$	45.22
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	105	CITY OF EL CAJON_	\$	14,877	126	ф	118.07	\$	29.52

← Median

		21	004-05	Number of	<u> </u>	25	% of Dor
		2004-05 Actual Claims ¹		Officers ²	Per Officer	25% of Per Officer	
121	CITY OF REDONDO BEACH	\$	11,509	104		\$	27.67
	CITY OF REDONDO BEACH	\$	14,148	128		\$	27.63
	CITY OF SANTA CLARA	\$	11,924	108		\$	27.60
	CITY OF SANTA MARIA	\$	21,778	201	\$ 108.35	\$	
	COUNTY OF SHASTA	\$	17,025	168	\$ 100.33	\$	27.09 25.33
	CITY OF SAN LEANDRO		8,631	88		\$	24.52
	CITY OF SAN LEANDRO	\$	2,336	24		\$	24.32
	COUNTY OF TEHAMA	\$	8,049	88	\$ 97.33 \$ 91.47	\$	22.87
	COUNTY OF TEHANIA	\$	8,330	94	\$ 88.62	\$	22.15
	CITY OF MURRIETA	\$	6,386	73		\$	21.87
	200000000000000000000000000000000000000	\$	1,077	13	\$ 87.48 \$ 82.85	\$	
	CITY OF COTATI CITY OF INDIO	\$	5,275				20.71
				64	•	\$	20.54
	CITY OF ALAMEDA	\$	8,052	98		\$	
	CITY OF GRASS VALLEY	\$	2,110	26	\$ 81.15	\$	20.29
	CITY OF NATIONAL CITY		6,478	80	\$ 80.98	\$	20.24
	CITY OF BELL GARDENS	\$	4,108	52	\$ 79.00	\$	19.75
	CITY OF WEST COVINA	\$	8,916	115	\$ 77.53	\$	19.38
	CITY OF NEWARK		4,091	55	\$ 74.38	\$	18.60
	CITY OF MARTINEZ	\$	2,808	38		\$	18.47
	CITY OF WOODLAND	\$	4,788	65	\$ 73.66	\$	18.42
	CITY OF PORTERVILLE	\$	3,749	51	\$ 73.51	\$	18.38
	COUNTY OF HUMBOLDT	\$	13,235	182	\$ 72.72	\$	18.18
	COUNTY OF ORANGE	\$	126,831	1928	\$ 65.78	\$	16.45
	CITY OF GREENFIELD	\$	1,041	16		\$	16.27
	CITY OF VISALIA	\$	7,531	116		\$	16.23
	CITY OF SOUTH PASADENA	\$	2,257	35		\$	16.12
	CITY OF BENICIA	\$	2,057	32	\$ 64.28	\$	16.07
	CITY OF PORT HUENEME	\$	1,448	23	\$ 62.96	\$	15.74
	CITY OF SAN JOSE	\$	76,383	1352		\$	14.12
	COUNTY OF LOS ANGELES	\$	507,741	9028		\$	14.06
	COUNTY OF TULARE	\$	19,183	371	\$ 51.71	\$	12.93
	CITY OF SANTA ANA	\$	17,480	350		\$	12.49
	CITY OF BARSTOW	\$	1,658	34	\$ 48.76	\$	12.19
	CITY OF REDWOOD CITY	\$	4,356	95	\$ 45.85	\$	11.46
	CITY OF SANTA BARBARA	\$	5,701	128		\$	11.13
	CITY OF COSTA MESA	\$	6,064	151	\$ 40.16	\$	10.04
	CITY OF YUBA CITY	\$	2,184		\$ 39.71	\$	9.93
	CITY OF FREMONT	\$	6,498	191	\$ 34.02	\$	8,51
	CITY OF REDDING	\$	3,757	114	- Liver was a second second	\$	8.24
181	CITY OF MANTECA	\$	2,264	69	\$ 32.81	\$	8.20
	COUNTY OF INYO	\$	1,299	40			8.12
	CITY OF RICHMOND	\$	4,673	151		\$	7.74
	CITY OF BAKERSFIELD	\$	6,730	323		\$	5.21
	COUNTY OF STANISLAUS	\$	5,014	249		\$	5.03
_	CITY OF NEWPORT BEACH	\$	2,484	142	' , ,,,,,, ,,,,,,,,,,,,,,,,,,,,,,,,	\$	4.37
	COUNTY OF EL DORADO	\$	2,628	185		\$	3.55
176	COUNTY OF MARIN	\$	2,977	213	***************************************	\$	3.49
	Totals:	\$ 2	1,031,244	50,701	Median:	\$	56.74

^{1.} Source: State Controller's Office

^{2.} Number of officers as of 8/14/06. Source: Commission on Peace Officer Standards and Training.